



SCOTTSDALE PLANNING COMMISSION
STUDY SESSION AGENDA
CITY HALL KIVA
3939 N DRINKWATER BLVD
SCOTTSDALE, ARIZONA
JULY 9, 2003
4:00 PM

1. CALL TO ORDER
2. ADMINISTRATIVE REPORT – RANDY GRANT
3. PRESENTATION AND DISCUSSION CONCERNING OPEN MEETING LAW – PAT BOOMSMA
4. REVIEW OF JULY 9, 2003 AGENDA
5. REVIEW OF AUGUST 20, 2003 TENTATIVE AGENDA
6. ADJOURNMENT



DRAFT
SUBJECT TO CHANGE
TENTATIVE AGENDA
SCOTTSDALE PLANNING COMMISSION
REMOTE SITE HEARING
SCOTTSDALE WATER CAMPUS
8787 E. HUALAPIA DRIVE
AUGUST 20, 2003
5:00 P.M.

2-GP-2003 **(Cattletrack & Lincoln)** request by Earl Curley & Lagarde P C, applicant, Diann Henderson, owner, for a General Plan Amendment from Rural Neighborhoods to Suburban Neighborhoods and from Rural Character to Suburban Character on a 5.5 +/- acre parcel located at the southeast and southwest corners of Cattletrack and Lincoln Drive. Staff contact person is Tim Curtis, 480-312-4210. **Applicant contact person is Lynne Lagarde, 602 265-0094.**

Comments: To increase the allowable density to more than 1 home per acre.

3-GP-2003 **(Sheegli/Thomas Property)** request by Tornow Design Associates, applicant, Winstar Pro LLC, owner, for a General Plan Amendment from Cultural/Institutional to Employment on a 10 +/- acre parcel located west of Thompson Peak, south of McDowell Mountain Ranch. Staff contact person is Al Ward, 480-312-7067. **Applicant contact person is Roger Tornow, 480-607-5090.**

Comments: To allow for employment uses on the site.

A COPY OF A FULL AGENDA, INCLUDING ITEMS CONTINUED FROM PREVIOUS MEETINGS IS AVAILABLE AT LEAST 24 HOURS PRIOR TO THE MEETING AT THE FOLLOWING LOCATIONS:

Police Department, 9065 East Via Linda
City Hall, 3939 N. Drinkwater Boulevard
El Dorado Park & Recreation Center, 2311 N. Miller Road
Online at: <http://www.ScottsdaleAZ.gov/Boards/PC>

ALL INTERESTED PARTIES ARE INVITED TO ATTEND.

For additional information click on the link to 'Projects in the Public Hearing Process' at
www.ScottsdaleAZ.gov/Projects/.



Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the City Clerk's Office at 480-312-2412. Requests should be made as early as possible to allow time to arrange accommodation.



AGENDA
SCOTTSDALE PLANNING COMMISSION
KIVA - CITY HALL
3939 N. DRINKWATER BOULEVARD
JULY 9, 2003
5:00 P.M.

ROLL CALL

EXPEDITED AGENDA

1. **11-UP-2003 (ReinventED)** request by James Elson Architect, applicant, BWE 2000 LLC, owner, for a conditional use permit for a Private/Charter school on a 11.9 +/- acre parcel located at 9181 E Bell Road Suite 102 with Industrial Park, Planned Community District (I-1 PCD) zoning. Staff contact person is Al Ward, 480-312-7067. **Applicant contact person is James Elson, 480-515-9332.**
2. **7-AB-2003 (Desert Vista Church)** request by Desert Vista Church, applicant/owner, to abandon the north 30-foot right-of-way of Parcels 217-12-009D, E, and G, the Desert Vista proposed church site. Staff contact person is Pete Deeley, 480-312-2554. **Applicant contact person is Todd Anderson, 480-368-0888.**

REGULAR AGENDA

3. **7-UP-2003 (Desert Vista Church)** request by GDA Southwest, applicant, Desert Vista Church, owner, for a conditional use permit for a Private/Charter school on a 7.5 +/- acre parcel located at 18201 N 94th Street with Single Family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning. Staff contact person is Tim Curtis, 480-312-4210. **Applicant contact person is Toby Rogers, 602-667-0444.**
4. **6-ZN-2003 (Jupiter Assets Business Park)** request by Tornow Design Associates, applicant, Jupiter Assets, owner, to rezone from Single Family Residential, Planned Community District (R1-35 PCD) to Industrial Park, Planned Community District (I-1 PCD) on a 5 +/- acre parcel located at the northwest corner of 90th Street and Bahia Drive. Staff contact person is Kira Wauwie AICP, 480-312-7061. **Applicant contact person is Roger Tornow, 480-607-5090.**
5. Discussion of Planning Commission's correspondence to the City Council regarding the **5th Avenue Parking (4-UP-2003)**.

WRITTEN COMMUNICATION

ADJOURNMENT

David Gulino, Chairman
Eric Hess
Tony Nelssen
James Heitel

Steve Steinberg, Vice Chairman
David Barnett
Jeffrey Schwartz

For additional information click on the link to 'Projects in the Public Hearing Process' at:

<http://www.ScottsdaleAZ.gov/projects>.



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PLANNING COMMISSION REPORT



MEETING DATE: July 9, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

ReinventED

REQUEST

Request to approve a conditional use permit for a private/charter school on a 11.9 +/- acre parcel located at 9181 E Bell Road with Industrial Park, Planned Community District (I-1 PCD) zoning.

11-UP-2003

Key Items for Consideration:

- The charter school is proposed in an Industrial Park setting versus their typical residential setting
- The school has no external facilities (playfields, courtyards, etc.)
- No opposition has been received on this application

Related Policies, References:

- Case 33-ZN-2000 created the Horseman's Park Planned Community Development Overlay in March 2001, which restricted building heights, setbacks, and view corridors.

OWNER

BWE 2000 LLC
480-348-7470

APPLICANT CONTACT

James Elson
James Elson Architect
480-515-9332

LOCATION

9181 E Bell Road Ste 102

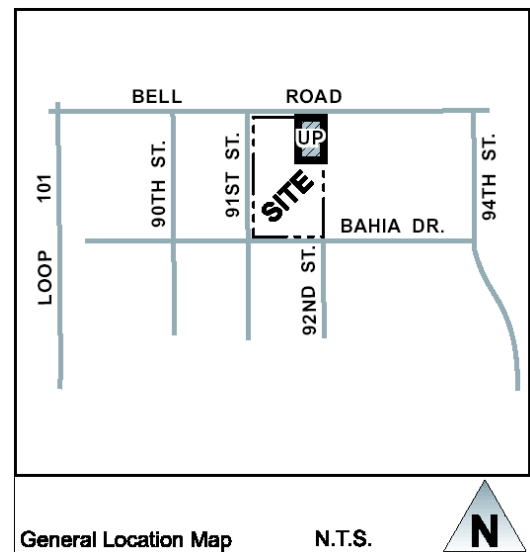
BACKGROUND

Zoning.

The site is zoned I-1 (Industrial Park), which allows private and charter schools subject to conditional use permits. The site is also located within a Planned Community Development (PCD), which applied amended development standards to this area in order to preserve views of the McDowell Mountains along the Bell Road corridor.

General Plan.

The General Plan Land Use Element designates the property as Employment uses. In addition, the Regional Use Overlay is shown over this area. This category and overlay permit a range of employment uses such as light industrial, offices, and other mixed uses.



Context.

This site is located at the southwest corner of Bell Road and 92nd Street, in the McDowell Mountain Business Park also known as Horseman's Park. The surrounding property includes the following:

- North – State Land, I-1 PCD
- East – Coyote's Ice Den and Healthsouth (zoned Highway Commercial C-3 PCD)
- South and West– McDowell Mountain Business Park (zoned I-1 PCD), WestWorld is situated just south of the business park.

**APPLICANT'S
PROPOSAL**

Goal/Purpose of Request.

The proposal is to approve a new charter school in the McDowell Mountain Business Park. The charter school will operate within an existing building and is intended for 9th through 12th grades. The school will operate on weekdays with two separate sessions running from 8-12 AM, and 12-4 PM. Each session will accommodate up to 150 students plus staff. The student drop-off area is located along the east side of the school.

IMPACT ANALYSIS

Development information.

- | | |
|------------------------------------|--|
| • <i>Existing Use:</i> | Newly constructed, unoccupied building. |
| • <i>Buildings/Description:</i> | Facility is a 4,000-square-foot tenant improvement space in the larger 20,000-square-foot building |
| • <i>Parcel Size:</i> | 11.96 +/- acre business center containing 8 buildings |
| • <i>Building Height Allowed:</i> | 36 feet |
| • <i>Existing Building Height:</i> | 26 feet |
| • <i>Parking:</i> | 35 spaces required, 50 spaces provided |
| • <i>Other:</i> | 150 students per shift, with 2 shifts per weekday |

Traffic.

A traffic impact analysis was conducted for this use. The study estimates the school will generate about 642 vehicle trips per day with 125 and 83 trips in the AM and PM peak hours respectively. The study indicates that students arrive at various times in the morning with most arriving between 7:30 and 9:00 AM. A majority of students leave after completing required courses, usually between 3:00 and 4:30 PM. The study estimates that the majority of students will be dropped off with about 25% carpooling with other students. Less than 20% of the students will drive themselves, to school. The analysis indicates that LOS (Level of Service) at area intersections will continue to operate at acceptable levels through 2005. (See Attachments 7 and 7A)

Water/Sewer.

From 92nd Street to the site, City water and sewer lines are provided as part of the Bell Road II Improvement District.

Police/Fire.

Rural Metro has reviewed this proposal and found that it conforms to their requirements for fire protection and fire apparatus access.

Open space, scenic corridors.

A fifty-foot-wide (50), buffered setback is situated along Bell Road, adjacent to the north side of the site.

Policy implications.

The proposal conforms to the Horseman's Park West Planned Community Development Overlay established for this area. The recent amendment to the Zoning Ordinance (5-TA-2002) allows charter schools to locate in the I-1 District, subject to a use permit. Although the existing businesses within this site include a health club and other non-residential uses, future types of uses allowed in the industrial zoning may potentially impact a private or charter school use.

Schools District comments/review.

Scottsdale Unified School District has been notified of this application. The School District was notified by phone and no objections were received.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - ***All activities are conducted completely within the building.***
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - ***The traffic generated by this use is approximately 640 vehicle trips per day. The existing street infrastructure and internal business park drive aisles are adequate to accommodate the associated traffic. Adequate parking and student drop-off and loading areas are provided adjacent to the school. There is a potential for conflict with larger commercial vehicles as the site develops over time.***
 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - ***The facility is self-contained and will not adversely affect or cause a negative impact on surrounding land uses.***
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

- *Adjacent uses include a proposed fitness center, dance studio and karate club, ice rink, professional offices, warehouses, and other types of industrial uses suitable to the area however, future uses in this district may impact this use. The charter school is reasonably compatible with other uses in this area.*
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.
- a. The site is situated not within five-hundred (500) feet of an adult use.
 - b. The school site location is part of a larger 11.96 acres in area, more than the minimum required 43,000 square feet.
 - c. There are no proposed outside speakers or bell systems.
 - d. No special outdoor lighting is proposed for this use, which will make use of existing lighting. No residential districts are located within one hundred (100 feet) of the site.
 - e. The overall site plan for the McDowell Mountain Business Center provides open space in conformance city requirements.
 - f. Parking conforms to the ordinance requirements to be located behind the established front building line along Bell Road and 92nd. Street. A 50-foot wide scenic corridor buffer is provided along Bell Road and a 20 feet setback is maintained from 92nd Street.
 - g. No outdoor playgrounds or recreational uses are associated with this case and all activities will be conducted within the building.
 - h. A drop-off area is provided along the east side of the building that will accommodate minimum queuing of five (5) vehicles and a sidewalk connects to the main entry of the building. (See Attachment #6)
 - i. A sidewalk connects the building with the sidewalks along Bell Road and 92nd Street. All buildings shall be designed to be compatible with the surrounding residential neighborhood. The Development Review Board shall approve all building elevations.
 - j. The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 - k. The Charter School is located outside of the 55 DNL noise contour of the Scottsdale Airport, and has been reviewed and conditionally approved by the Airport Director.
- **These additional conditions have been met.**

Community involvement.

The applicant has contacted property owners within 750 feet of the site. A public open house was held on May 23, 2003. No members of the public attended this meeting. All other feedback received by the applicant has been positive. No opposition from neighbors has been received by Staff.

Community Impact.

It does not appear that the charter school will cause a conflict with adjacent uses. The impact of this use on surrounding areas is considered to be minimal or minor since all activities are conducted indoors. The circulation and drop-off plan is sufficient to accommodate the proposed number of students utilizing the facility. The Bell Road II Improvement District, which is in

place, has anticipated increased traffic in this area. Sufficient on-site parking is available and internal circulation provides adequate connection through the site to adjacent streets.

**STAFF
RECOMMENDATION**

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.

**RESPONSIBLE
DEPT(S)**

Planning and Development Services Department
Current Planning Services

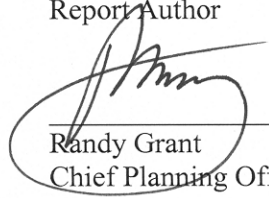
STAFF CONTACT(S)

Al Ward
Senior Planner
480-312-7067
E-mail: award@ScottsdaleAZ.gov

APPROVED BY



Al Ward
Report Author



Randy Grant
Chief Planning Officer

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Circulation and Drop-off Plan
7. Transportation Department's Review of the Traffic Impact Study
- 7A. Traffic Impact Summary
8. Citizen Involvement
9. Site Plan

PLANNING COMMISSION REPORT



MEETING DATE: July 9, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Desert Vista Church

REQUEST

Request to abandon the north 30-foot right-of-way of Parcels 217-12-009D, E, and G, the Desert Vista proposed church/school site, except the west 18 feet.
7-AB-2003

Related Policies, References: (7-UP-2003)

Key Issues.

- Abandon the unnecessary 30 feet right-of-way and it may be incorporated into the Desert Vista Church site.
- Reserve a public trail easement along the west 15 feet, and the south 15 feet and of the subject 30 feet to connect to the future paved trail within the wash.
- No utility access is necessary per written permission of the affected utility companies.

OWNER/APPLICANT CONTACT

Todd Anderson
Desert Vista Church
480-368-0888

LOCATION

18201 N 94th St

BACKGROUND

Background.

The subject 30 feet right-of-way was dedicated to Maricopa County in 1966.

Zoning.

The site is zoned Single Family Residential Environmental Sensitive Land. (R1-35 ESL)

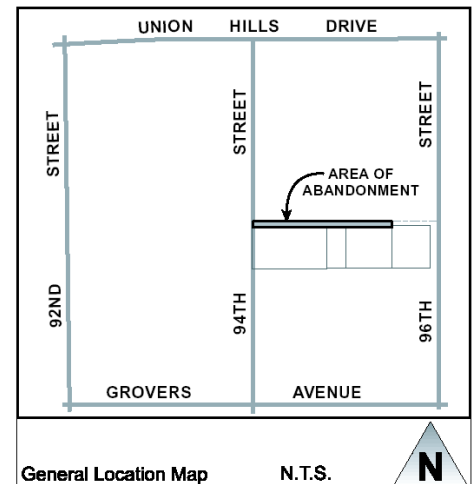
Context.

The subject 30 feet right-of-way abandonment is being requested in conjunction with a use permit for the development of the proposed Desert Vista Church/school site.

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

This request is to eliminate the existing 30 feet of right-of-way located along the north boundary of Parcels 217-12-009D, E, and G, except the west 18 feet which will be used as part of a 60 feet right-of-way for 94th Street. This is consistent with the City's roadway requirements.



The surrounding property to the north is DC Ranch Single Family Residential and is accessed by private internal streets. The property to the west is also DC Ranch Single Family Residential and does not require access of the subject right-of-way. The property to the south is undeveloped private property, and accesses 94th street.

The property to the east is owned by the City of Scottsdale as part of the Reata Wash flood plain area, and access to the wash property is provided from Union Hills Road to the north.

Although the approved Trails Master Plan does not call for a connection at this location, staff recommends a 15 foot public trail access easement be reserved over the south 15 feet of the subject 30 feet right-of-way, and along the west 15 feet of the subject 30 feet right-of-way. This will enable a pedestrian connection to the proposed trail within the Reata Wash and to the trail connecting to the north along the DC Ranch property. The applicant concurs with the stipulation.

IMPACT ANALYSIS**Departmental Responses.**

City Department/Division participants concur with this abandonment request. See Department Issues Checklist (Attachment #1).

Transportation Impact.

This abandonment is in the area served by the DC Ranch Community Facilities District proposed master planned road system to be constructed in the near future. 94th Street, on the west side of the proposed abandonment, is to be constructed by the District as a two lane minor collector. Access to the land to the north, a DC Ranch subdivision, is by a gated entrance off 94th Street. The land to the east of the abandonment is a large regional drainage wash owned by the City. To the south is the proposed church. This abandonment is not part of the District master planned street system and does not affect any other planned public street system.

Community Impact.

The elimination of this right-of-way will remove the public interest in this roadway with the exception of a pedestrian connection per stipulation.

Community involvement.

No adjacent property owners have registered objection to this abandonment. Letters of notification were provided to adjacent properties. Nick Teratsas, representing DC Ranch, the west and north property boundary, provided a written letter of no objection. On March 4th the applicant talked with the Director of Development of the Toll Brothers, owners of the property immediately east of the Reata wash and he voiced no objection. Elizabeth Sumners was also provided written notification, and on March 31 the applicant had a phone conversation with Ms. Sumners who said she had no objection to the abandonment.

The applicant provided a written summary of his adjacent property contact in a letter that is on file in the city abandonment case file.

**STAFF
RECOMMENDATION**

Recommended Approach:

Staff recommends approval, subject to the following stipulations:

A public trail easement is reserved over the west 15 feet, and the south 15 feet of the entire subject 30 feet right-of-way.

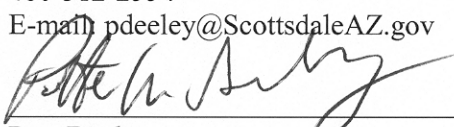
- a. A minimum five (5) foot wide trail along the east side of 94th Street, separated from back-of-curb by a minimum of 5 feet. The trail shall be constructed with compacted/stabilized decomposed granite or other materials approved by plan review and permit services staff, and shall connect to the trail on the northern adjacent development. The trail shall be contained within a minimum 15-foot wide public trail easement.
- b. A minimum five (5) foot wide trail between the east and west property lines along the north side of the property. The trail shall be constructed with compacted/stabilized decomposed granite or other material approved by plan review and permit services staff, and shall connect to the trail along 94th Street. The trail shall be contained within a minimum 15-foot wide public trail easement.

**RESPONSIBLE
DEPT(S)
STAFF CONTACT(S)**

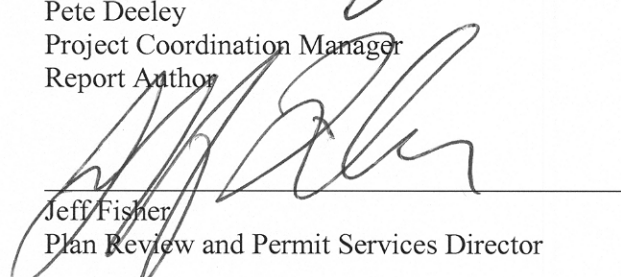
Planning and Development Services Department

Pete Deeley
Project Coordination Manager
480-312-2554
E-mail: pdeeley@ScottsdaleAZ.gov

APPROVED BY



Pete Deeley
Project Coordination Manager
Report Author



Jeff Fisher
Plan Review and Permit Services Director

ATTACHMENTS

1. Departmental Checklist
2. Context Aerial
- 2A. Area Site Plan
3. Detail Aerial
4. Area Trails Plan
5. Commercial Site Plan

PLANNING COMMISSION REPORT



MEETING DATE: July 9, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Desert Vista Church Charter School

REQUEST

Request to approve a conditional use permit for a private/charter school on a 7.5 +/- acre parcel located at 18201 N 94th Street with Single Family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning.

7-UP-2003

Key Items for Consideration:

- This is a new charter school surrounded by future homes and the Reata Wash.
- The closest existing homes are ¼ mile to the north (Ironwood Village).
- This development will utilize DC Ranch's Master Development Plans for infrastructure.
- This site will be shared with a future church.
- Residents within Ironwood Village neighborhood have concerns about traffic and school operations.

Related Cases:

7-AB-2003

OWNER

Desert Vista Church
480-368-0888

APPLICANT CONTACT

Toby Rogers
GDA Southwest
602-667-0444

Leona Group Charter School

LOCATION

18201 N 94th St

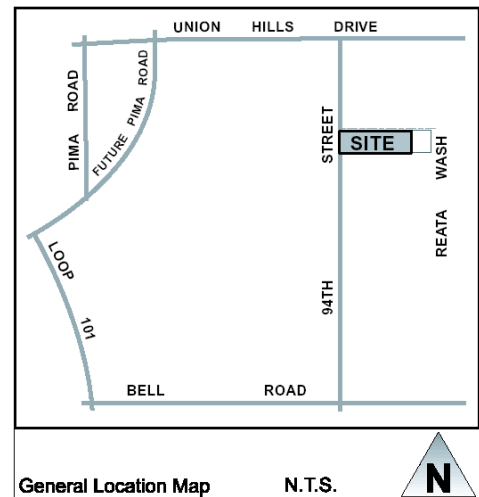
BACKGROUND

Zoning.

The subject property is zoned Single-Family Residential/Environmentally Sensitive Lands District (R1-35/ESL), which allows residential uses as well as municipal uses, public schools, and places of worship without additional approval by City Council. Other uses allowed through a Conditional Use Permit include private or charter schools.

General Plan.

The Land Use Designation for the subject property is Suburban Neighborhoods that encourages residential zoning. Densities in Suburban Neighborhoods are usually more than one house per acre, but less than eight



houses per acre. The General Plan Land Use Element and Neighborhood Elements encourage the integration of schools in neighborhoods.

Context.

This property is located on future 94th Street approximately ¼ mile south of Union Hills Drive and ¾ mile north of Bell Road, and near DC Ranch's Planning Unit I. The area is currently open desert that has been used for cattle grazing and is relatively flat (lower desert landform). DC Ranch Planning Unit I is zoned for both residential and commercial land uses, and has land allocated for a public park.

The 7.2-acre property and will have access from the future 94th Street connecting Union Hills Drive to Bell Road. The surrounding properties are zoned Single-Family Residential/Planned Community District and Single-Family Residential/Environmentally Sensitive Lands District (R1-7/PCD, R1-35/ESL, R1-7/ESL).

**APPLICANT'S
PROPOSAL**

Goal/Purpose of Request.

This is a request for a new charter high school for grades 9 through 12, which will be used in conjunction with the future Desert Vista Church. There will be 2 shifts of students on the campus Monday through Friday, with a morning shift (8am-noon) and an afternoon shift (1pm-5pm). There are 12 proposed classrooms and each shift will have maximum 300 students (25 students per classroom). There will be no more than 300 students on campus at any one time. Extra-curricular activities, such as sports, music, or other after-school clubs are not proposed, so this school will not be used for evening activities.

The one-story buildings are proposed to be located approximately 600 feet from the future 94th Street to the west and approximately 190 feet from the Reata Wash to the east. The buildings will also be set back a minimum of 30 feet from the north and south property lines, and will be oriented inward to help reduce noise impacts on the surrounding area. No outdoor field or sport court lighting is proposed.

Development information.

- *Existing Use:* Open Desert
- *Proposed Use:* Charter School and Church (church does not need a conditional use permit)
- *Parcel Size:* 7.2 acres
- *Number Classrooms:* 12
- *Number Students:* 300 maximum per shift (1 morning and 1 afternoon shift)
- *Building Height Allowed:* 24 feet
- *Proposed Floor Area:* 12,000 sq.ft. for charter school
- *Parking:* 70 spaces required, 157 provided

IMPACT ANALYSIS

Traffic.

The streets in the vicinity of the site (94th Street and Union Hills Road) will be constructed as part of a DC Ranch Community Facilities District (CFD). Access to the church will be from future 94th Street connecting Union Hills Drive to Bell Road. It is anticipated that the streets will be constructed by the summer of 2004.

Analysis of the trip generation demonstrates that the proposed charter high school would generate 968 trips per day to and from the site, with and estimated 280 trips occurring during the a.m. peak hour and 284 trips occurring during the p.m. peak hour. This represents an increase of 855 daily trips over site development as single family residential, and increase of 781 daily trips than if the entire campus were developed for exclusive church use. There is no bussing provided by the school, and carpooling by students is anticipated.

The trip generation numbers are for the ultimate student enrollment of 300 students for any one session, and are presented in the following table:

TRIP GENERATION COMPARISON TABLE

LAND USE	Daily Total	AM Peak Hour	PM Peak Hour
R1-35 Land Uses			
Single Family – 9 dwelling units	113	16	12
Church – 20,510 s.f.	187	15	14
Total	300	31	26
Proposed Land Use			
Church Office (weekdays) – 7,910 s.f.	72	6	5
Charter High School - 300 Students	896	274	279
Total	968	280	284

The proposed signalized intersections on 94th Street with Union Hills Drive and Bell Road are expected to operate at acceptable levels of service (LOS D or better for all movements) with the addition of the school traffic. The two proposed site driveways on 94th Street are also anticipated to operate at acceptable levels of service (LOS B or better for all movements). On-site circulation and site access are satisfactory with the provision that the northern site driveway be restricted to exit only.

Airport Vicinity.

The property is located within the Scottsdale Municipal Airport influence area, and the applicant is working with the airport staff to provide proper disclosure of airport activities to site users (see Attachment 8A; airport influence area map).

Water/Sewer.

The applicant is responsible for new water and sewer infrastructure to service the site, and will utilize DC Ranch's Master Development Plans that provide for water and sewer lines within the 94th Street alignment.

Police/Fire.

Police and fire facilities exist nearby in the DC Ranch Master Planned Community, and no service impacts are anticipated.

School District.

Scottsdale Unified School District indicates there are no capacity issues because there is no rezoning proposal or new homes proposed to increase the number of students.

Open space.

The rear (easternmost) 1.5 acres of the property along the Reata Wash will be left as natural area open space (NAOS).

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **The school generates no smoke, odor, dust, or vibration.**
 - **The buildings will also be set back a minimum of 30 feet from the north and south property lines, and will be oriented inward to help reduce noise impacts on the surrounding area.**
 - **No outdoor field or sport court lighting is proposed.**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **Traffic can be accommodated with the planned street network for the area, with acceptable levels of service at intersections.**
 - **It is anticipated that the majority of the traffic will remain on collector and arterial streets planned to serve the area.**
 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - **The proposal provides adequate parking to serve the school and associated church.**
 - **The one-story buildings are proposed to be located approximately 600 feet from the future 94th Street to the west and approximately 190 feet from the Reata Wash to the east.**
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - **The General Plan recommends that schools be located in residential areas along collector streets so that they are accessible but exposed to low volumes of traffic.**
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.
 - a. **The site is 7.2 acres in area, more than the minimum required 86,000 square feet.**
 - b. **The gross floor area proposed is 6% of the site, less than the maximum allowed 20%.**
 - c. **There are no proposed outside speakers or bell systems.**

- d. The site plan provides in excess of the required 26% open space.
- e. The parking conforms with the ordinance requirements and will be screened from the adjacent streets.
- f. No lighting is necessary for the school. Parking lot lighting will be installed for the church, and will meet the 16-foot maximum height requirement, 30-foot setback requirement, and will be shut off by 10:00 p.m. (except security lighting).
- g. A 6-foot screening wall and/or landscaping will be provided along the north and south property lines, and landscaping screening will be provided along the east and west property lines.
- h. Access will be provided from a collector street (94th Street), and there will be no side street access. The proposed drop off area conforms to the requirement for 5 cars at one time.
- i. No outdoor activities are proposed after 8:00 p.m., which is an activity prohibited unless granted through a special event permit.
- j. All buildings will be designed to be compatible with the surrounding residential neighborhood. The Development Review Board will approve all building elevations.
- k. The applicant's circulation plan minimizes conflicts between the student drop-off area, parking areas, and pedestrian areas.

Community involvement.

The applicant has had discussions with representatives from DC Ranch, surrounding property owners, and Ironwood Village. The applicant continues to meet with Ironwood Village neighborhood to address their concerns regarding traffic and the school operations (see Attachment 8 for multiple responses).

Community Impact.

This development will utilize DC Ranch's Master Development Plans to address water, wastewater, drainage, and circulation issues. The nearest existing residential neighborhood is ¼ mile to the north, and future homes are expected to be platted directly to the north and south of this property.

Policy implications.

The addition of this school to the community would result in additional school facilities available to the general community. The General Plan Land Use Element and Neighborhood Elements encourage the integration of schools in neighborhoods, and the use permit criteria help ensure that the school is compatible with the surrounding neighborhood.

**STAFF
RECOMMENDATION**

**RESPONSIBLE
DEPT(S)**

STAFF CONTACT(S)


Recommended Approach:

Staff recommends approval, subject to the attached stipulations.


Planning and Development Services Department
Current Planning Services

Tim Curtis
Project Coordination Manager
480-312-4210
E-mail: tcurtis@ScottsdaleAZ.gov

APPROVED BY



Tim Curtis
Report Author



Randy Grant
Chief Planning Officer

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
- 2B. Context Map
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Traffic Impact Summary
8. Citizen Involvement
- 8A. Airport Area Noise Area Map
9. Site Plan

PLANNING COMMISSION REPORT



MEETING DATE: July 9, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Jupiter Assets Business Park

REQUEST

Request to approve to rezone from Single Family Residential, Planned Community District (R1-35 PCD) to Industrial Park, Planned Community District (I-1 PCD) on a 5 +/- acre parcel located at the northwest corner of 90th Street and Bahia Drive.

6-ZN-2003

Key Items for Consideration:

- The site and surrounding area is planned for industrial park zoning and uses.
- The proposed Industrial zoning is consistent with adjacent I-1 zoned properties.

Related Policies, References:

General Plan

OWNER

Jupiter Assets

APPLICANT CONTACT

Roger Tornow
Tornow Design Associates
480-607-5090

LOCATION

Northwest corner of 90th Street & Bahia Drive

BACKGROUND

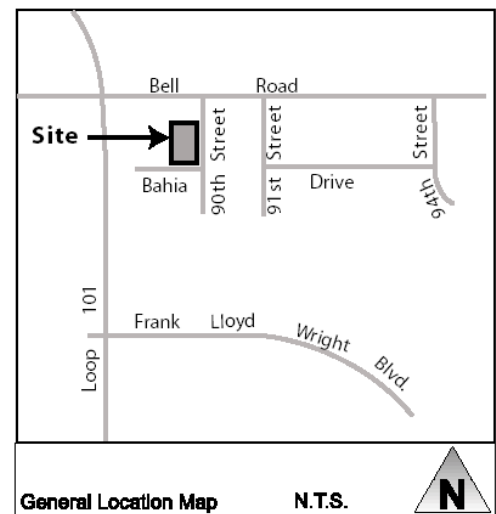
Site Zoning and Design Review History.

33-ZN-2000 – This McDowell Mountain Business Park property was rezoned with the Planned Community District (PCD) designation on March 19, 2001. The Single-family residential (R1-35) underlying zoning on this site did not change.

The PCD overlay was implemented to preserve view corridors and limits this development in the following manner:

- 25-foot building/structure and parking setback along Bahia
- 25-foot minimum landscape buffer along Bahia
- 36-foot maximum building height and 42-foot maximum height for mechanical screening
- Maximum floor area ratio of 0.40

These development standards are not proposed for change by this zoning request.



1-MP-2003 – The McDowell Mountain Business Park (previously called Horseman’s Park) area Master Environmental Design Concept Plan (MEDCP) was approved on May 30, 2001. This site is located within the boundaries of that MEDCP. The MEDCP established design guidelines for the development of properties located between Pima Road and 94th Street, and from Bell Road to the northern boundary of West World.

General Plan.

The General Plan Land Use Element designates the property as Employment and Regional Use. The Employment category encourages light manufacturing, light industrial, and office uses. The Regional Use category includes flexibility for land uses where those uses serve a regional market.

Context.

	General Plan Designation	Zoning	Existing Land Use
North	Employment and Regional Use	Highway Commercial (C-3), Planned Community District (PCD)	Unimproved
East	Employment and Regional Use	Industrial Park (I-1), Planned Community District (PCD)	Unimproved
South	Employment and Regional Use	Industrial Park (I-1), Planned Community District (PCD)	Unimproved
West	Employment and Regional Use	Industrial Park (I-1), Planned Community District (PCD)	Unimproved

APPLICANT’S PROPOSAL

Goal/Purpose of Request.

The applicant proposes to change the zoning on this property to prepare for future development. No specific development concepts are proposed at this time.

IMPACT ANALYSIS

Zoning.

Land Use

The Land Use Element of the General Plan recommends this site for Employment and Regional Use. The I-1 zoning is consistent with the Employment land use category.

Character and Design

The proposal does not change the PCD zoning or MEDCP established for this area; therefore, the Character and Design of future development will be consistent with surrounding properties controlled by the PCD zoning and MEDCP. When this property is developed, Development Review Board approval of the site plan and elevations will be required. The character and quality of that development will be reviewed to assure that this property develops in context with and compatible with adjacent parcels.

Economic Vitality

A zone change to industrial I-1 district promotes more locations for employment in the community and expands the opportunity for City revenues and viability of the surrounding business park.

Airport.

This site is located within the 55 dNL of the Scottsdale Airport Noise Contours (2005). The Airport recommends that because of the site's location within the Noise Contours, an aviation easement shall be required and the easement shall be executed prior to final plan approval. In addition, the Airport supports the zone change because it will eliminate the potential for residential development of this property which could be affected by impacts from the airport.

Traffic.

This proposal represents a decrease in trips compared to the office park land use that was assumed for the site in the traffic study for the Bell Road II Improvement District. The study assumed industrial and business park land uses to estimate traffic and adequately size the roadway network for the area. Capacity analysis at the three intersections near the project site demonstrates that the addition of the project site traffic will not impact the level of service for any of the intersections during the morning or evening peak hours in the horizon year 2005.

Community involvement.

The applicant has sent notices to nearby property owners within 750 feet of this property, and has made efforts to advise other interested parties by advertising in the newspaper and posting on the web. No issues or concerns have been identified through this community outreach.

**STAFF
RECOMMENDATION**

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.

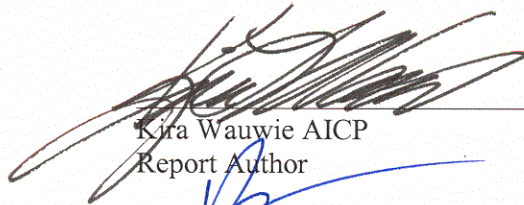
**RESPONSIBLE
DEPT(S)**

Planning and Development Services Department
Current Planning Services

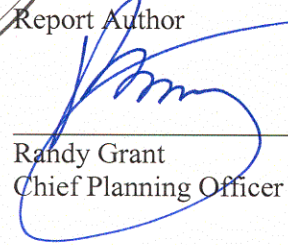
STAFF CONTACT(S)

Kira Wauwie AICP
Project Coordination Manager
480-312-7061
E-mail: kwauwie@ScottsdaleAZ.gov

APPROVED BY



Kira Wauwie AICP
Report Author



Randy Grant
Chief Planning Officer

ATTACHMENTS

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Planning Commission Hearing
July 9, 2003

Agenda Item 5. Discussion of Planning Commission's correspondence to the City Council regarding the **5th Avenue Parking (4-UP-2003)**.

This Item not available at the time of printing for this packet.